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Singapore Airlines Limited

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re TRANSPACIFIC PASSENGER AIR
TRANSPORTATION ANTITRUST
LITIGATION

CASE NO. 07-CV-5634-CRB

MDL No. 1913

**This Document Relates to:
ALL ACTIONS**

CLASS ACTION

**STIPULATION AND [PROPOSED] ORDER
REGARDING BRIEFING SCHEDULE FOR
SINGAPORE AIRLINES LIMITED'S
MOTION FOR SUMMARY JUDGMENT RE:
FILED RATE ISSUES**

At the hearing on Friday, November 22, 2013, concerning Plaintiffs' Motion to Substitute Plaintiffs and Leave to Amend Class Complaint, the Court ordered Defendants to file any remaining motions concerning the Filed Rate Doctrine within 14 days, or by December 6, 2013. *See* Dkt. No. 742 (Minute Entry setting filing deadline). Although Defendant Singapore Airlines Limited ("SIA") is working diligently to complete its motion for summary judgment based on the Filed Rate Doctrine, SIA's intended fact declarant is currently on leave and is unavailable until after the deadline set by the Court for filing that motion. Upon learning that SIA's declarant was unavailable, counsel for SIA contacted co-lead counsel for Plaintiffs, who have

1 agreed to a brief extension of time, until December 17, 2013, for SIA to file its motion. Such an
 2 extension will have only a minimal impact on the briefing schedule for the filed rate motions.
 3 See Dkt. No. 734 (Stipulation and Order providing Plaintiffs with 60 days from the date of the
 4 last-filed brief to submit responses). Plaintiffs and Defendant Singapore Airlines have agreed
 5 that Plaintiffs will have 60 days from the date that Singapore Airlines files its motion for
 6 summary judgment to depose Singapore Airlines' fact declarant and to file Plaintiffs' responses
 7 to Defendants' motions for summary judgment. This stipulated extension will not affect any
 8 other pending deadlines in this action. Undersigned counsel therefore respectfully requests a
 9 brief extension—until December 17, 2013—for SIA to file its motion for summary judgment on
 10 Filed Rate issues and a brief extension of the fact discovery cut off for the sole purpose of
 11 permitting Plaintiffs to depose Singapore Airlines' fact declarant.
 12

13
 14 AGREED this 27th day of November, 2013.

15 Respectfully submitted,

16 **LATHAM & WATKINS LLP**

17 William R. Sherman

18 Ashley M. Bauer

19 By: /s/ Ashley M. Bauer

20 Ashley M. Bauer

*Counsel for Defendant Singapore Airlines
 Limited*

21 **COTCHETT, PITRE & McCARTHY, LLP**

22 Adam J. Zapala

23 By: /s/ Adam J. Zapala

24 Adam J. Zapala

Co-Lead Counsel for Plaintiffs

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PURSUANT TO STIPULATION, IT IS SO ORDERED this ____ day of November 2013.

CHARLES R. BREYER
United States District Judge

ATTESTATION CLAUSE

I, Ashley M. Bauer, hereby attest in accordance with Civil Local Rule 5-1(i)(3) the above-listed counsel have provided concurrence with the electronic filing of the foregoing document entitled STIPULATION AND [PROPOSED] ORDER REGARDING BRIEFING SCHEDULE FOR SINGAPORE AIRLINES LIMITED'S MOTION FOR SUMMARY JUDGMENT RE: FILED-RATE ISSUES.

DATED: November 27, 2013

/s/Ashley M. Bauer

Ashley M. Bauer

LATHAM & WATKINS LLP

Counsel for Defendant Singapore Airlines Limited